

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

HAMLYN ET AL.

Atty. Ref.: 3977-11; Confirmation No. 3751

Appl. No. 10/563,561

TC/A.U. unknown

Filed: January 6, 2006

Examiner: Unknown

For: AZACYCLIC COMPOUNDS AS INHIBITORS OF SENSORY NEURONE SPECIFIC CHANNELS

\* \* \* \* \*

June 19, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

Responsive to the Notice/Notification dated April 17, 2006 (copy attached), attached is a copy of the requisite Declaration.

An Assignment, with Recordation coversheet and recordation fee, are also attached and recordation of the Assignment and Notice of the same are requested.

The attached Notice/Notification requirement for a Sequence Listing is not understood and clarification is requested as to where the specification contains sequence information requiring listing in a Sequence Listing. The specification is not believed to contain such sequence information.

An early and favorable Action on the merits of the claimed invention is requested.

HAMLYN ET AL.  
Appl. No. 10/563,561  
June 19, 2006

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



B. J. Sadoff  
Reg. No. 36,663

BJS:pp  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

BJS  
3977-11

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,561	Hamlyn	3977-11

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/GB04/02945

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

07/07/2004

07/07/2003

23117

NIXON &amp; VANDERHYE, PC

901 NORTH GLEBE ROAD, 11TH FLOOR DOCKETED  
ARLINGTON, VA 22203MATTER # 3977-11DATE 4/17/06DATE Jun 17, 2006INTERNAL DEADLINE Nov 17, 2006

Date Mailed: 04/17/2006

DOCKETED BY BJS

CONFIRMATION NO. 3751

371 FORMALITIES LETTER



\*OC000000018543652\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/06/2006
- Copy of the International Search Report filed on 01/06/2006
- Preliminary Amendments filed on 01/06/2006
- Information Disclosure Statements filed on 01/06/2006
- Request for Immediate Examination filed on 01/06/2006
- U.S. Basic National Fees filed on 01/06/2006
- Priority Documents filed on 01/06/2006
- Specification filed on 01/06/2006
- Claims filed on 01/06/2006
- Abstracts filed on 01/06/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>3977-11</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  <b>10/563,561</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/002945</b>	INTERNATIONAL FILING DATE <b>7 July 2004</b>	PRIORITY DATE CLAIMED <b>7 July 2003</b>
TITLE OF INVENTION <b>AZACYCLIC COMPOUNDS AS INHIBITORS OF SENSORY NEURONE SPECIFIC CHANNELS</b>		
APPLICANT(S) FOR DO/EO/US <b>HAMLYN ET AL.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The U.S. has been elected (Article 31).		
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).		
a. <input type="checkbox"/> is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings).		
b. <input type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> is attached hereto (        pages specification, claims & abstract (        claims),        sheets drawings,        page Certificate of Translation).		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.		
d. <input type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. a. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 To 20 below concern document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.		
13. a. <input type="checkbox"/> A FIRST preliminary amendment.		
b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A change of power of attorney and/or address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.		
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information. Response; copy of Notification of Missing Requirements mailed 4/17/2006		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/563,561</b>			INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/002945</b>			ATTORNEY'S DOCKET NUMBER <b>3977-11</b>		
<input checked="" type="checkbox"/> The following fees are submitted:								
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>								
21. <input type="checkbox"/> Basic national fee .....						\$		
22. <input type="checkbox"/> Examination Fee.....						\$		
23. <input type="checkbox"/> Search Fee .....						\$		
.....						\$		
.....						\$		
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$	0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.								
Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof (round up to a whole number)		RATE		
0 -100		0 /50 =		0.00		\$0.00 (1681) \$0.00 (2681)		
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).								
CLAIMS		NUMBER FILED		# EXTRA		RATE		
Total Claims		minus 20 =		0 X		\$50.00 (1615)/ \$25.00 (2615)		
Independent Claims		minus 3 =		0 X		\$200.00 (1614) \$100.00 (2614)		
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)						\$360.00 (1616)/\$180.00 (2616)		
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)						\$ 0.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.								
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).						+ 0.00		
<b>TOTAL NATIONAL FEE =</b>						<b>\$ 0.00</b>		
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property						+ \$ 40.00		
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)						\$ 0.00		
<b>TOTAL FEES ENCLOSED =</b>						<b>\$ 40.00</b>		
						Amount to be refunded: \$		
						Amount to be Charged: \$		

U.S. Application No.10/563,561; Atty Docket No.3977-11

- a. ☒ A check in the amount of \$40.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☒ The entire content of International Application No. PCT/GB2004/002945 and any U.S. and foreign application(s) corresponding thereto, and 60/488,442 & GB 0315872.2, referred to in this application is/are hereby incorporated by reference in this application.
- NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

☒ **Customer Number:****23117***Type Customer Number here*

Telephone: (703) 816-4000

BJS:pp

  
**B. J. Sadoff**

NAME

**36,663**

REGISTRATION NUMBER

**June 19, 2006**

Date